

MEMORANDUM

Amended
Agenda Item No. 11(A)(2)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: January 22, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution setting policy for Miami-Dade County related to Building Better Communities General Obligation Bond Program Project No. 124 – “Economic Development Fund” and Project No. 320 – “Economic Development in Targeted Urban Areas”; providing that, in the event that Project 124 or Project 320 funds are allocated to a recipient for a proposed project located on County-owned property and the County Mayor is unable to successfully negotiate a grant agreement with the proposed recipient of such funds, upon rescission of the Project 124 or Project 320 allocation by the Board of County Commissioners, such funds shall, for a period of up to two years, be made available for reallocation first to other eligible applicants, as identified by the County Mayor and subject to Board approval, to develop the same or similar project on the same County-owned property, prior to such funds being made available for reallocation to other proposed Project 124 or Project 320 sites

Resolution No. R-58-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.


Abigail Price-Williams
County Attorney 

APW/smm

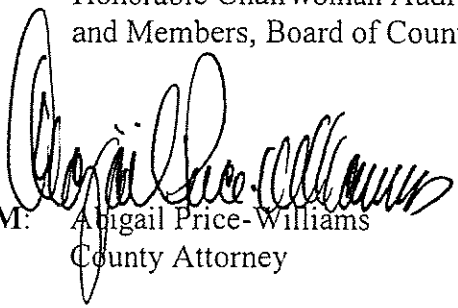


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 11(A)(2)
1-22-20

RESOLUTION NO. R-58-20

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY RELATED TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 124 – “ECONOMIC DEVELOPMENT FUND” AND PROJECT NO. 320 – “ECONOMIC DEVELOPMENT IN TARGETED URBAN AREAS”; PROVIDING THAT, IN THE EVENT THAT PROJECT 124 OR PROJECT 320 FUNDS ARE ALLOCATED TO A RECIPIENT FOR A PROPOSED PROJECT LOCATED ON COUNTY-OWNED PROPERTY AND THE COUNTY MAYOR IS UNABLE TO SUCCESSFULLY NEGOTIATE A GRANT AGREEMENT WITH THE PROPOSED RECIPIENT OF SUCH FUNDS, UPON RESCISSION OF THE PROJECT 124 OR PROJECT 320 ALLOCATION BY THE BOARD OF COUNTY COMMISSIONERS, SUCH FUNDS SHALL, FOR A PERIOD OF UP TO TWO YEARS, BE MADE AVAILABLE FOR REALLOCATION FIRST TO OTHER ELIGIBLE APPLICANTS, AS IDENTIFIED BY THE COUNTY MAYOR AND SUBJECT TO BOARD APPROVAL, TO DEVELOP THE SAME OR SIMILAR PROJECT ON THE SAME COUNTY-OWNED PROPERTY, PRIOR TO SUCH FUNDS BEING MADE AVAILABLE FOR REALLOCATION TO OTHER PROPOSED PROJECT 124 OR PROJECT 320 SITES

WHEREAS, Appendix A to Resolution No. R-914-04 (the “Public Infrastructure Resolution”), lists projects eligible for funding from the Building Better Communities General Obligation Bond Program (the “Bond Program”) by project number, municipal project location, commission district, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Public Infrastructure Resolution and approved by the voters for funding is Project No. 124 – “Economic Development Fund” (“Project 124”) with a project description that states “Provide infrastructure improvements to spur economic development and attract new businesses to the community in order to create jobs”; and

WHEREAS, the goal of Project 124 is to encourage private sector development through public infrastructure investments that will create jobs and cause economic development which will have long term benefits to the community; and

WHEREAS, another of the projects listed in Appendix A to the Public Infrastructure Resolution and approved by the voters for funding is Project No. 320 – Economic Development in Targeted Urban Areas (“Project 320”) with a project description that states “Provide infrastructure improvements to spur economic development and attract new businesses to the community in order to create jobs”; and

WHEREAS, the goal of Project 320 is to encourage private sector development that will create jobs and cause economic development which will have long term benefits to the community in Targeted Urban Areas; and

WHEREAS, this Board has previously allocated all of the \$75,000,000.00 of Project 124 funds and all of the \$15,000,000.00 of Project 320 funds to other infrastructure projects, subject to the negotiation of the County Mayor or County Mayor’s designee (the “County Mayor”) of a Grant or Interlocal Agreement to be presented to this Board for its approval; and

WHEREAS, in the event that the County Mayor is unable to successfully negotiate a Grant or Interlocal Agreement and/or this Board does not approve the award of the Project 124 or Project 320 funds to one or more of the proposed Project 124 or Project 320 grant recipients to whom such funds have been allocated, such funds are subject to being recaptured and reallocated to other eligible Project 124 or Project 320 projects; and

WHEREAS, in instances where the County Mayor is unable to successfully negotiate a Grant Agreement with the proposed recipient of the Project 124 or Project 320 funds and the proposed project site is on County-owned property, however, it would be in the County’s best

interests for such Project 124 or Project 320 funds to—for a period of up to two years—be made available for reallocation first to other eligible applicants, as identified by the County Mayor and subject to Board approval, to develop the same or similar project on the same County-owned property, prior to such funds being made available for reallocation to other proposed Project 124 or Project 320 sites,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are approved and incorporated in this Resolution.

Section 2. This Board directs that in the event that Project 124 or Project 320 funds are allocated to a proposed project located on County-owned property and the County Mayor or County Mayor's designee ("County Mayor") is unable to successfully negotiate a Grant Agreement with the proposed recipient of such funds, the County Mayor shall present this Board with an item rescinding the allocation and recapturing such funds, and such funds shall, for a period of up to two years from the effective date of such rescission, be made available for reallocation first to other eligible applicants, as identified by the County Mayor and subject to Board approval, to develop the same or similar project on the same County-owned property, prior to such funds being made available for reallocation to other proposed Project 124 or Project 320 sites, as applicable.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye
Rebeca Sosa, Vice Chairwoman	aye
Esteban L. Bovo, Jr.	absent
Jose "Pepe" Diaz	absent
Eileen Higgins	aye
Joe A. Martinez	aye
Dennis C. Moss	aye
Xavier L. Suarez	absent
Daniella Levine Cava	nay
Sally A. Heyman	absent
Barbara J. Jordan	aye
Jean Monestime	aye
Sen. Javier D. Souto	absent

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MSM

Michael J. Mastrucci